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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,874	03/30/2004	Leslie Spring	113748-4593US	5564
27189 7590 12/10/2007 PROCOPIO, CORY, HARGREAVES & SAVITCH LLP 530 B STREET SUITE 2100 SAN DIEGO, CA 92101			EXAMINER ORTIZ, BELIX M	
			ART UNIT	PAPER NUMBER
			2164	
			NOTIFICATION DATE	DELIVERY MODE
			12/10/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@procopio.com
PTONotifications@procopio.com

08

**Supplemental
Notice of Allowability**

Application No.

10/813,874

Examiner

Belix M. Ortiz

Applicant(s)

SPRING ET AL.

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amended claims filed 8/16/07.
2. ☒ The allowed claim(s) is/are 1-29,34 and 35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 11/19/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CHARLES RONES
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

1. The following is an Examiner's statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose, make obvious, or otherwise suggest the structure of the applicant's prediction program, prediction apparatus, and prediction method together with the other limitations of the independent claims.

The dependent claims being further limiting and definite are also allowable. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Authorization for this examiner's amendment was given in an interview with Samuel S. Lee on November 20, 2007.

AMENDMENT TO THE CLAIMS:

Claims 1, 15, 29, and 34-35 have been amended. Claims 1-29 and 34-35 remain pending in the application.

WHAT IS CLAIMED IS:

1 and 34. (Currently Amended) A repository system for media publishing, comprising:
a plurality of storage devices configured to store a plurality of media items, the plurality of storage devices including a first storage device and a second storage device,
the first storage device configured to store a first type of media items, and
the second device configured to store a second type of media items ; and
wherein the first type of media items is defined by a series of publishing variable
including:

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a format, a bit rate, a communication protocol, physical medium, digital right management information associated with media items, and an encoding type and compression technique used to reduce the physical size of the media items; and

wherein the second type of media items ~~is~~ is defined by the same series of publishing variables with at least one of the publishing variables having a different value from that of the first type of media items; and

metadata information relating to the plurality of media items stored in said plurality of storage devices,

wherein said metadata information enables hierarchical organization of the plurality of media items so that the media items are easily accessed, moved, added, and deleted.

15, 29, and 35. (Currently Amended) A method of providing storage for media items in media publishing, comprising:

storing a first type of media items in a first storage device;

storing a second type of media items in a second storage device;

wherein the first type of media items is defined by a series of publishing variable including:

a format, a bit rate, a communication protocol, physical medium, digital right management information associated with media items, and an encoding type and compression technique used to reduce the physical size of the media items; and

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wherein the second type of media items ~~is~~ is defined by the same series of publishing variables with at least one of the publishing variables having a different value from that of the first type of media items; and

relating first metadata information to the first type of media items; and

relating second metadata information to the second type of media items, wherein said first and second metadata information enable hierarchical organization of the media items so that the media items are easily accessed, moved, added, and deleted.

Reasons for Allowance

2. Claims 1-29 and 34-35 are allowed.

3. The following is a statement of reasons for the indication of allowable subject matter: the prior arts of records, neither anticipates nor renders obvious the following limitations as claimed:

As to claims 1 and 34, the prior art of records fail to anticipate or suggest wherein the first type of media items is defined by a series of publishing variable including:

a format, a bit rate, a communication protocol, physical medium, digital right management information associated with media items, and an encoding type and compression technique used to reduce the physical size of the media items; and

wherein the second type of media items is defined by the same series of publishing variables with at least one of the publishing variables having a different value from that of the first type of media items; and

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metadata information relating to the plurality of media items stored in said plurality of storage devices,

wherein said metadata information enables hierarchical organization of the plurality of media items so that the media items are easily accessed, moved, added, and deleted, together with the other limitations of the independent claims.

As to claims 15, 29, and 35, the prior art of records fail to anticipate or suggest A method of providing storage for media items in media publishing, comprising:

storing a first type of media items in a first storage device;

storing a second type of media items in a second storage device;

wherein the first type of media items is defined by a series of publishing variable including:

a format, a bit rate, a communication protocol, physical medium, digital right management information associated with media items, and an encoding type and compression technique used to reduce the physical size of the media items; and

wherein the second type of media items is defined by the same series of publishing variables with at least one of the publishing variables having a different value from that of the first type of media items; and

relating first metadata information to the first type of media items; and

relating second metadata information to the second type of media items, wherein said first and second metadata information enable hierarchical organization of the media items so that

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the media items are easily accessed, moved, added, and deleted, together with the other limitations of the independent claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 571-272-4081. The examiner can normally be reached on 8-5.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bmo



CHARLES RONES
SUPERVISORY PATENT EXAMINER

November 20, 2007